

PTO/SB/21 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/838,927-Conf. #2178 Filing Date April 19, 2001 **TRANSMITTAL** First Named Inventor Seth Harman **FORM** Art Unit 3622 Examiner Name J. W. Van Bramer (to be used for all correspondence after initial filing) Attorney Docket Number 65164/P001CP1/10606083

Total Number of F	Pages in This Submission	on 60			69104/F00101 1/1000000		
	ENG	CLOSURES	(Check all tha	at apply)			
x Fee Transmitta		Drawing(s)			After Allowance Communication to TC		
Fee Attac	ched	Licensing-rel	lated Papers	10	Appeal Communication to Board of Appeals and Interferences		
Amendment/Re	eply	Petition		[	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Fina	al	Petition to C Provisional		1	Proprietary Information		
Affidavits	s/declaration(s)	Power of Atto	orney, Revocation orrespondence Ad	dress	Status Letter		
Extension of T	ime Request	Terminal Dis		1	X Other Enclosure(s) (please Identify below):		
Express Aban	donment Request	Request for Refund			Certificate of Mailing PTO Form SB-08		
Information Di with Exhibit A	sclosure Statement	CD, Number of CD(s)			18 Boxes (Box 14 with two volumes) PTO Form SB-21 Transmittal Form		
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Signature	Signature						
Printed name	Tom J. Meaney						
Date	February 26, 2007			Reg. No.	41,990		

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SUBMITTED BY		1					(044) 0	EE 9000
Signature	15	/、 <b>&gt;</b>		Registration No. (Attorney/Agent)	41	,990 Telephone		55-8230
	Tom J. Mean	еу				Date	Februar	y 26, 2007
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Atty Docket No.: 65164/P001CP1/10606083

Reference:

Inventor: Seth Harman et al.

WINDOW WITHIN A WINDOWS-BASED CONTENT MANIFESTATION SYSTEM AND METHOD FOR PROVIDING A DYNAMIC CONTENT Filing Date: April 19, 2001 09/838,927-Conf. #2178 Application No.: Title:

Documents Filed:

Certificate of Mailing (1 page)

Transmittal (1 page)
Fee Transmittal (1 page)
Information Disclosure Statement with Exhibit A (36 pages)
PTO Form SB-08 (21 pages)

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PTO/SB/92 (09-06)

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Application No.: 09/838,927

Attorney Docket No.: 65164/P001CP1/10606083

## Certificate of Mailing under 37 CFR 1.8

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Certificate of Mailing (1 page) Transmittal (1 page)

Fee Transmittal (1 page)

Information Disclosure Statement with Exhibit A (36 pages)

PTO Form SB-08 (21 pages)

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Docket No.: 65164/P001CP1/10606083 (PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Seth Harman et al.

Application No.: 09/838,927

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Filed: April 19, 2001

For:

SYSTEM AND METHOD FOR PROVIDING

A DYNAMIC CONTENT WINDOW

WITHIN A WINDOWS-BASED CONTENT

MANIFESTATION ENVIRONMENT

PROVIDED IN A BROWSER

Confirmation No.: 2178

Art Unit: 3622

Examiner: J. W. Van Bramer

## INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

I hereby certify, pursuant to 37 CFR 1.97(e)(2), that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was 25712660.1

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Application No.: 09/838,927 Docket No.: 65164/P001CP1/10606083

known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Subject matter related to this application is currently the subject of litigation, Civil Action Number: CV 02-2748, COMPUTER ASSOCIATES INTERNATIONAL, INC., v. SIMPLE.COM, INC. and WIRED SOLUTIONS, LLC, United States District Court Eastern District of New York. The enclosed documents were either created during the litigation and evidence asserted positions of the parties or the "experts" engaged by the parties regarding claim construction, scope or validity or produced during the course of this litigation and the Plaintiff in the subject litigation has asserted their materiality and/or relevance to the related patents in suit. The Examiner should be aware that the Special Master Reports and Recommendations have been the subject of extensive objections which have been briefed to the District Court Judge. Much of this briefing is also submitted herewith. The District Court Judge has not yet acted on or entered any of the Reports and Recommendations on claim construction, validity, enforceability or infringement.

Moreover, Applicant desires to provide any and all possible information to the Examiner, such that the Examiner may perform a thorough analysis of the claimed invention with respect to the teachings of the art that is being alleged by the Plaintiff in the subject litigation. In furtherance of this desire to be comprehensive, Applicant has also submitted several of the Special Master's Reports and Recommendations regarding multiple issues in the subject litigation. The Examiner is encouraged to reference these pleadings as a roadmap to the various allegations, defenses, and recommendations that may be related to the claimed subject matter.

Applicant initially attempted to submit the listed references in electronic format via the Office's electronic filing system. However, after initially being instructed by the Office that this would be possible and with regard to the format and size-limits which such electronic submission should be in, Applicant was later instructed by the Office that its electronic filing system could not handle the size of Applicant's submission. Subsequently, Applicant attempted to obtain permission from the examiners in this and other related applications to submit the listed references in electronic format on disk, but were not authorized to do so. In compliance with 37 C.F.R. § 1.98 and M.P.E.P. § 609.04(a),

Application No.: 09/838,927 Docket No.: 65164/P001CP1/10606083

Applicant hereby submits a legible copy of each of the listed references herewith in paper form. With regard to one of the books submitted herewith, CQ12, Teixera Steve et al., "Delphi 4 – Developer's Guide, The Authoritative Solution," Applicant has submitted one copy of the book in the IDS for commonly-owned, co-pending U.S. Patent Application Serial Number 09/838,927. In each of the other related cases, Applicant has filed only copies of the cover and copyright information. Should the Examiner in this case desire to review the contents of the book, he or she may obtain the book from the Examiner in Serial Number 09/838,927.

Additional information, which exists only in video format, is noted on the Office's PTO/SB/08 form, but which cannot be submitted in "paper" form. For example, Exhibit E to the Danny Goodman Declaration (CG8) is video data stored on a DVD. The only possible means for Applicant to submit this information to the Examiner was by submitting the actual DVD disk. This disk should reside in Box 13. If this disk at CG8 is unacceptable to the Examiner, Applicant will make such video available to the Examiner at the Examiner's convenience. Furthermore, if the Examiner wishes to have electronic access to all of the references listed herein, Applicant will make disks available to the Examiner that has each of the references listed herein in TIFF or PDF format, as the Examiner desires.

In an attempt to direct the Examiner to relevant information within this IDS, Applicant would point to the material prepared and submitted in the litigation matter by the experts: Cameron Wiefenbach, Richard Belgard, and Danny Goodman; the depositions of Jeffrey Menninger and Dan Steinman along with their respective exhibits; the Special Master's Reports and Recommendations; the Briefing on the Objections to the Special Master's Reports; and the Briefing on the Summary Judgment along with their Exhibits, especially the Summary Judgments on improper inventorship, non-enablement, indefiniteness, anticipation, obviousness, inequitable conduct, written description, and invalidity. Applicant believes that each of these documents may be located by the Examiner using the following table. Applicant also notes that some of the documents prepared by the experts and the court's special master have been classified as confidential under the protective order in place in the subject litigation and, therefore, Applicant may not properly submit such restricted documents to the Examiner in this IDS. None of the documents noted below and produced herewith are confidential of subject to judicial protective order.

Application No.: 09/838,927

PART	IAL TABLE OF REFERENCES
Wiefenbach Material	Box 12 – CD7
	Box 12 - CB7, CJ7, CX7
Belgard Material	Box 15 - CN8
	Box 12 - CQ6, CS6, CT6, CU6, CW6, CX6, CY6, CA7,
	CU7
Goodman Material	Box 13 - CA8, CC8, CD8, CG8
	Box 15 – CM8, CJ11
Menninger Material	Box 15 - CK8, CP8, CR8
Steinman Material	Box 15 – CO8, CQ8
	Box 12 – CE7, CF7, CG7, CH7
Special Master's Reports	Box 15 – CS8, CT8, CU8, CV8, CW8
Objections & Briefing on	Box 12 - CI7, CK7, CL7, CM7, CN7, CO7, CP7, CQ7,
Special Master's Reports	CR7, CS7, CT7, CV7, CW7, CY7, CZ7
	Box 13 - CG9, CH9, CK9, CL9, CM9
	Box 14 – CP9, CQ9, CR9, CS9, CT9, CU9, CV9, CW9
Summary Judgment – Briefi	ng CX9, CZ9, CA10, CB10, CC10, CE10, CF10, CH10,
Etc.	CI10, CJ10, CK10, CN10, CP10, CQ10, CR10,
	CU10, CW10, CX10, CY10, CA11, CB11
1	Box 15 - CF11, CG11, CH11, CK11

Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR § 1.98(a)(2).

Application No.: 09/838,927 Docket No.: 65164/P001CP1/10606083

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please refer to 'Exhibit A' (attached herewith) as an indexed list of cited references that correspond to the cite number as listed on the PTO/SB/08 and are enclosed in a total of 18 boxes. Exhibit A comprises two sections. The first section provides a box listed related to the range of SB/08 cite numbers contained within each box. The second section provides a list, by cite number, detailing each reference and providing an indication of which box that particular cite-numbered reference resides. While Applicant believes that the boxes contain each of the cite-numbered references as listed, he cannot guarantee that the references are in order of cite number within that particular box. A good faith effort was undertaken to make this so, however, because of the volume of copying that was required, mistakes may have been made in the ordering.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2380, under Order No. 65164/P001CP1/10606083.

5 25712660.1 Application No.: 09/838,927 Docket No.: 65164/P001CP1/10606083

Dated: February 26, 2007

Respectfully submitted,

Tom J. Meaney

Registration No.: 41,990

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Attorney for Applicant

PTO/SB/08A (10-01)

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Sheet	1	of	21	Attorney Docket Number	65164/P001CP1/10606083		

			U.S. PA	TENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-6,031,989	02-29-2000	Cordell	
	AB	US-5,347,632	07-13-1994	Filepp et al.	
		US-5,838,906	11-17-1998	Doyle et al.	
	AD	US-6,148,330		Puri et al.	
	AE	US-5,913,215	06-15-1999	Rubinstein et al.	
	AF	US-6,061,738	05-09-2000	Osaku et al.	
	AG	US-6,061,695	05-09-2000	Slivka et al.	
<del></del>	AH	US-6,064,979	05-16-2000	Perkowski	
	AI	US-6,343,377	01-29-2002	Gessner et al.	
	ĀJ	US-6,101,510	08-08-2000	Stone et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	7		
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See attached Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS	
		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the	T <sup>2</sup>
		item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue	
Examiner	Cite	number(s),	
Initials	No.1	publisher, city and/or country where published.	$\vdash$
	CA	Bryan Pfaffenberger, "Official Microsoft Internet Explorer 4 Book", published by Microsoft	
		Deces 1007 100 pgs	┝
	СВ	Danny Goodman, "JavaScript™ Bible", 2 <sup>nd</sup> Edition, published by IDG Books Worldwide, Inc.,	1
	احدا	1996 624 pgs	<b>!</b>
	cc	Nigot McEarlane, "Instant, JavaScript", published by Wrox Press, 1997, 469 pgs.	1_
	CD	David Flanagan, "JavaScript: The Definitive Guide", Third Edition, published by O'Reilly &	1
	ICD.	Associates Inc. 1008, 708 pgs	1
	10E	Tom Negrino and Dori Smith, "JavaScript for the World Wide Web", 2nd Edition, published by	1
	CE	Peachpit Press, 1998, 205 pgs.	
	<del>    -</del> -	David M. Geary and Alan L. McClellan, "Graphic Java, Mastering the AWT", published by	Τ
	CF	SunSoft Press for Sun Microsystems, Inc., 1997, 659 pgs.	
		Nick Heinle, "Designing with JavaScript: Creating Dynamic Web Pages", published by	Т
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		Songline Studios, Inc. and O'Reilly & Associates, Inc., 1997, 249 pgs.	+
	CH	computer screen shots; DHTML for Cross Browser - Desktop emulator like Windows95	1
		system, 11 pgs [Retrieved on: December 31, 2003] Retrieved from:	
i	1	http://www/din.or.jp/-hagi3/JavaScript/JSTips/DHTML/Desktop/desktop.htm	_1_

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Signature	00.101.00

Undert	he Paperwork Reduction Ac	t of 1995	, no persons are required to r	U. S. Patent and Tradem	PTO/SB/08A (10-01) roved for use through 10/31/2002.OMB 0651-0031 ark Office: U.S. DEPARTMENT OF COMMERCE nation unless it contains a valid OMB control number.
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	STATEMENT			First Named Inventor	Seth Harman
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Sheet	2	of	21	Attorney Docket Number	65164/P001CP1/10606083

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	CI	computer screen shots; Test of "DHTML Windowmaker Sim" (Appendix E), website publication date unknown, 29 pgs.	
	CJ	computer screen shots, "Visual DHTML", website and publication unknown, 19 pgs.	
	СК	Danny Goodman and Dori Smith, "Scripting the User Interface", 8 pgs. [Retrieved on: January 15, 2004] Retrieved from: http://www.chalcedony.com/seminars/Ul/title.html	
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	CL	Scriplets; Microsoft Interactive Developer, Cutting Edge, Microsoft, 21 pgs.[Retrieved on: January 5, 2004] Retrieved from: http://www.microsoft.com/mind/0198/cutting0198.asp	
	СМ	Google Search: script position absolute drag group:comp.infosystems.www.authoring.html,	
		blog regarding "How to consolidate this DHTML script", dated February, 2, 1998,2 pgs.	
	1	[Retrieved on: January 8, 2004] Retrieved from:	
		http://groups.google.com/groups?q=script+position+absolute+drag+group:comp.infosystem	_
	CN	Cay S. Horstmann and Gary Cornell, "Core Java, Volume 1 - Fundamentals", published by	
		Sun Microsystems, Inc., 1999, 765 pgs.	_
	co	Jason J. Manger, "Essential Java* Developing Interactive Applications for the World-Wide	
	<del> </del>	Web", published by McGraw-Hill, 1996, 374 pgs.  Richard Karpinski, "Beyond HTML", published by Osborne McGraw-Hill, 1996, 491 pgs.	_
	CP	Richard Karpinski, Beyond Hill, published by Osborne McGraw-Hill, 1990, 491 pgs.	_
	CQ	Patrick Naughton, "The Java Handbook", published by Osborne McGraw-Hill, 1996, 443 pgs.	_
	CR	"What is Mozilla?", Mozilla - home of the mozilla, firebird, and camino web browsers, 2 pgs. [Retrieved on: December 31, 2003] Retrieved from: <a href="http://www.mozilla.org/">http://www.mozilla.org/</a>	
	CS	Charles Petzold, "OS/2 Presentation Manager Programming (Disk)", published by Ziff-Davis	
		Press, ©1994, 943 pgs.	
	СТ	Gordon McComb, "Web Programming Languages Sourcebook (CD Rom)", published by John	
		Wiley & Sons, Inc., ©1997, 615 pgs.	
	CU	lan S. Graham, "HTML Stylesheet Sourcebook", published by John Wiley & Sons, Inc., 432 pgs.	
	cv	XWeb: Bringing X to the World Wide Web, Broadway/Xweb Live White Papers, 13 pgs.	_
	•	Retrieved on: August 14, 2002] Retrieved from:	
	1	http://www.broadwayinfo.com/bwwhitesbroadwayhcl.htm	
	cw	X11R6.3 (Broadway) Overview, The Open Group: Open Group Desktop Technologies, 4 pgs.	_
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	•	http://www.opengroup.org/tech/desktop/x-window-system/broadway.htm	
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	le.	[Retrieved on: August 14, 2002] Retrieved from	İ
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	CA1	Previous Releases of Tarantella, Internet Brief, Previous releases of Tarantella, All about 1.0,	١
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		http://www.webtechniques.com/archives/1997/12/junk and	1
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				Art Unit	3622	
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Examiner	Date
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				Application Number	09/838,927	
١N	<b>NFORMATION</b>	1 DISC	CLOSURE	Filing Date	April 19, 2001	
S	TATEMENT E	BY AF	PLICANT	First Named Inventor	Seth Harman	
				Art Unit	3622	
	(use as many she	eets as ned	cessary)	Examiner Name	J. W. Van Bramer	
Sheet	14	of	21	Attorney Docket Number	65164/P001CP1/10606083	

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Examiner	Date
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				Application Number	09/838,927	
11	<b>NFORMATION</b>	1 DIS	SCLOSURE	Filing Date	April 19, 2001	
S	TATEMENT I	3Y A	APPLICANT	First Named Inventor	Seth Harman	
ļ				Art Unit	3622	
	(use as many sh	eets as	necessary)	Examiner Name	J. W. Van Bramer	
Sheet	15	of	21	Attorney Docket Number	65164/P001CP1/10606083	

CQ8	Author Unknown, Civil Action Number: CV 02-2748 (DRH), "Videotaped Deposition of Dan
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Substitute for form 1449A/PTO			Complete if Known		
				Application Number	09/838,927
11	<b>VEORMATION</b>	1 DI	SCLOSURE	Filing Date	April 19, 2001
S	STATEMENT E	3Y /	APPLICANT	First Named Inventor	Seth Harman
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	(use as many she	ets as	necessary)	Examiner Name	J. W. Van Bramer
Sheet	16	of	21	Attorney Docket Number	65164/P001CP1/10606083

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Substitute for form 1449A/PTO				Complete if Known		
				Application Number	09/838,927	
INF	ORMATI	ON DI	SCLOSURE	Filing Date	April 19, 2001	
STATEMENT BY APPLICANT				First Named Inventor	Seth Harman	
				Art Unit	3622	
	(use as man	y sheets as	necessary)	Examiner Name	J. W. Van Bramer	
Sheet	17	of	21	Attorney Docket Number	65164/P001CP1/10606083	

	ICV9	Author University Civil Action Numbers CV 00 2740 (DDLIVALO) "Declaration of Object	
	CV9	Author Unknown, Civil Action Number: CV 02-2748 (DRH)(MLO), "Declaration of Chris	
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				Application Number	09/838,927
11	<b>NFORMATION</b>	N DI	SCLOSURE	Filing Date	April 19, 2001
l s	TATEMENT	BY A	APPLICANT	First Named Inventor	Seth Harman
				Art Unit	3622
	(use as many sh	eets as	necessary)	Examiner Name	J. W. Van Bramer
Sheet	18	of	21	Attorney Docket Number	65164/P001CP1/10606083

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U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE pond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO					Complete if Known
				Application Number	09/838,927
IN	<b>IFORMATION</b>	N DIS	SCLOSURE	Filing Date	April 19, 2001
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Sheet	19	of	21	Attorney Docket Number	65164/P001CP1/10606083

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CZ10	Author Unknown, Civil Action Number: CV 02-2748 (DRH)(MLO), "Declaration of Christopher A. Young", United States District Court, Eastern District of New York, 2571 pgs.	
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				Application Number	09/838,927
11	<b>VFORMATION</b>	I DIS	CLOSURE	Filing Date	April 19, 2001
STATEMENT BY APPLICANT				First Named Inventor	Seth Harman
				Art Unit	3622
(use as many sheets as necessary)			ecessary)	Examiner Name	J. W. Van Bramer
Sheet	20	of	21	Attorney Docket Number	65164/P001CP1/10606083

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			APPLICANT	First Named Inventor	Seth Harman	
				Art Unit	3622	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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